

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, August 20, 2015

1:00 PM

City Hall Auditorium

## City Commission

*Mayor Ed Braddy (At Large)*  
*Commissioner Harvey Budd (At Large)*  
*Commissioner Helen Warren (At Large)*  
*Commissioner Charles Goston (District 1)*  
*Commissioner Todd Chase (District 2)*  
*Mayor-Commissioner Pro Tem Craig Carter (District 3)*  
*Commissioner Randy Wells (District 4)*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER - 1:07 PM**

**Present** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**AGENDA STATEMENT**

**INVOCATION**

**ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)**

*Moved from Consent to Regular Agenda - 1) Item No. 150219; and 2) Item No. 150213.*

**A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 5 - Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

**Absent:** 2 - Mayor Braddy, and Commissioner Goston

**CITY MANAGER, CONSENT AGENDA ITEMS**

[140069.](#)

**Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 15/16 (B)**

**This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 15/16.**

**RECOMMENDATION** *The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 15/16.*

**Approved as Recommended**

[140703.](#)

**Strategic Plan Quarterly Report -3rd Quarter of Fiscal Year 2015 (B)**

**This item provides a report on the progress of the City Commission’s Strategic Goals and Initiatives for the 3rd quarter of fiscal year 2015.**

**RECOMMENDATION** *The City Commission receives a quarterly report from the City Manager on the third quarter progress of the FY2015 strategic initiatives.*

**Approved as Recommended**

[150162.](#)

**Proposed Amendments to the Gainesville Code of Ordinances, Chapter 23 - Streets, Sidewalks and Other Public Places, to Clarify Authority for**

**the Naming of Private Roads (NB)**

**This item is a request for the City Commission to support the drafting of amendments to the City's Code of Ordinances to clarify the authority for naming private roads.**

**RECOMMENDATION**

*The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise amendments to Chapter 23 of the City Code to clarify the authority for naming private roads.*

**Approved as Recommended**

**150192.****Settlement of Worker's Compensation Claim - Andrew Swann (NB)**

**This item involves the full and final settlement of Mr. Swann's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$175,000.00 and represents a significant cost advantage to the city.**

**RECOMMENDATION**

*The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Swann in the amount of \$175,000.00.*

**Approved as Recommended**

**150209.****Selection of Marsh & McLennan Companies/Marsh USA, Inc as the City of Gainesville's Property and Casualty Broker/Agent and Risk Management Consultant (B)**

**This item involves a request for the City Commission to approve the rankings of the competitive bid process selecting Marsh & McLennan Companies/Marsh USA, Inc as the City's property and casualty broker/agent and risk management consultant.**

**RECOMMENDATION**

*The City Commission: 1) Approve the ranking of the responders; and 2) Authorize the City Manager or his designee to negotiate an agreement with the top ranked firm for a period of three years with two annual extensions, subject to approval of the City Attorney as to form and legality. If an agreement cannot be reached with the top ranked firm, authorize the City Manager or his designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.*

**Approved as Recommended**

**150245.****Best Evaluated Bid Results and Selection for the Special Magistrate for Code Enforcement Services (B)**

**This item involves a request for the City Commission to approve staff's**

**ranking of applicants and appoint a candidate as the Special Magistrate for Code Enforcement services.**

**RECOMMENDATION**

*The City Commission: 1) approve staff's recommendation of the ranking of respondents; 2) authorize the City Manager or designee to negotiate with the top ranked respondent and execute all contract documents, subject to approval by the City Attorney as to form and legality; 3) appoint the Special Magistrates under contract to serve commencing on October 1, 2015; 4) approve staff's recommendation to negotiate an agreement with one of the three remaining respondents to serve as an alternate Special Magistrate and authorize the City Manager or designee to execute all contract documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

[150232.](#)

**Amendment to Contract for Grounds Maintenance at the GRU Eastside Operations Center (NB)**

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a (3) three-year extension of the contract with Sunshine State Lawn Service, Inc. for grounds maintenance services at the GRU Eastside Operations Center, subject to approval of the Utilities Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to Sunshine State Lawn Service in amount not to exceed \$40,000 per year, subject to the final appropriation of funds for these services in each fiscal year.*

**Approved as Recommended**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

[150220.](#)

**Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

**RECOMMENDATION**

*Authorize the City Manager to execute a tolling agreement, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[150145.](#)

**PRELIMINARY DEVELOPMENT ORDER - ALACHUA COUNTY PUBLIC DEFENDER'S OFFICE BUILDING (B)**

**RECOMMENDATION**

*The City Commission approve the written Order and authorize the Mayor and the Clerk of the City Commission to execute the Order.*

Approved as Recommended

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

[150249.](#)            **Resignation of Seth Lane from the City Plan Board and Dave Miller from Nature Centers Commission (B)**

RECOMMENDATION            *The City Commission accepts the resignation of Seth Lane and Dave Miller, effective immediately.*

Approved as Recommended

[150260.](#)            **Appointment to City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION            *The City Commission appoint:*  
*Randy L. Hunziker to the Gainesville Housing Authority for a term to expire 8/1/19*  
*Perry Clawson to the Board of Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/17*  
*Carolyn T. Takeda-Brown to the Pension Review Committee for a term to expire 7/31/20*  
*Sallyise Lee to the Gainesville Energy Advisory Committee for a term to expire 9/30/15*  
*Marc A. Morrison and Sallyise Lee to the Citizens Advisory Committee for Community Development for a term to expire 11/1/18*  
*Johnnie R. Snow to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/18*  
*William Breeze to the Regional Transit System Advisory Board for a term to expire 9/30/17*  
*Caleb Stewart and Delores C. James to SHIP Affordable Housing Advisory Committee for a term to expire 7/1/17.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

[150053.](#)            **Fiscal Year 2015 Quarterly Monitoring Report and Fund Review Update - Quarter Ending March 31, 2015 (B)**

RECOMMENDATION            *The Audit and Finance Committee review and recommend that the City Commission receive the quarterly budget monitoring report and the fund review update for the quarter ended March 31, 2015.*

Approved as Recommended

[150014.](#)            **Gainesville Regional Utilities Internally Prepared Financial Statements**

**and Supplementary Data for the Period Ended March 31, 2015 (B)**

RECOMMENDATION      *The Audit and Finance Committee review and recommend the City Commission accept the GRU Interim Financial Statements and Supplementary Data for the period ended March 31, 2015.*

**Approved as Recommended**

**100507.      Funding RTS Routes and Associated ADA Service Outside the City Limits (NB)**

RECOMMENDATION      *The Audit and Finance Committee: 1) accept the staff report; and 2) request that the City Commission remove this item from the referral list.*

**Approved as Recommended**

**150055.      Purchase of ACL/GRC Audit Performance Software (B)**

RECOMMENDATION      *The Audit and Finance Committee recommend the City Commission approve the expenditure for the software program.*

**Approved as Recommended**

**150127.      Amend Ordinance 020024.1 of July 8, 2002 and Resolution 970187 of August 11, 1997 (B)**

RECOMMENDATION      *The Committee recommended moving this agenda item to the City Commission to request the City Auditor and City Attorney to develop a resolution and/or ordinance to incorporate the proposed modifications.*

**Approved as Recommended**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)**

*Additions to Regular Agenda: 1) Item No. 150223 - withdrawn; and 2) Request for funding for the FAMU reception in the amount of \$1,500 for Board of Trustees Meeting Session to be held in the City of Gainesville.*

*Jo Beaty spoke to the matter.*

**A motion was made by Commissioner Warren, seconded by Commissioner Wells, that this Matter be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**Absent:** 1 - Mayor Braddy

**GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)**

*Mayor Braddy arrived at 1:50 PM.*

*Jim Konish*

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**150190. A Presentation on the State Legislative Agenda (B)**

**This is a request for the City Commission to hear a presentation on state legislative updates. \*\*ESTIMATED PRESENTATION 20 MINUTES\*\***

*Kelly Ferrel and Bill Peebles made presentations.*

*Jim Konish spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation from Bill Peebles on state legislative updates that affect the City of Gainesville and provide policy direction on these issues.*

**This matter was Heard**

**150191. City Lobbying and Advocacy Services (B)**

**This is a request for renewal of the state lobbying and advocacy services agreement. \*\*ESTIMATED STAFF ORAL PRESENTATION 2 MINUTES\*\***

*Jim Konish and Debbie Martinez spoke to the matter.*

**RECOMMENDATION** *The City Commission approve renewal of the current contract with Peebles and Smith.*

*Alternate Recommendation  
The City Commission direct staff to advertise for a new state lobbyist for the City and GRU.*

**A motion was made by Commissioner Warren, seconded by Commissioner Chase, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150205.](#)**2015 Telephone Town Hall Meeting (NB)**

**This item requests the City Commission schedule a Telephone Town Hall meeting on October 29, 2015 and to provide direction on a discussion topic. \*STAFF PRESENTATION 5 MINUTES\***

*Amendment: Topic of discussion will be funding for the Parks, Recreation and Cultural Affairs Master Plan "PRCA Vision 2020"; funding sources to include property tax, sales tax or others; and staff to provide a 2-month plan which includes community outreach and public participation.*

*Samantha Wolfe and Becky Rountree made presentations.*

*Jim Konish and Debbie Martinez spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) direct the Clerk of the Commission to schedule the Telephone Town Hall meeting on October 29, 2015; and 2) provide direction to the City Manager on a discussion topic.*

**A motion was made by Commissioner Wells, seconded by Commissioner Budd, that this Matter be Approved as Amended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150152.](#)**Second Amendment to the Tourism Product Development Interlocal Agreement with Alachua County (B)**

**This is a request for the City Commission to approve and authorize the Mayor or designee to execute a second amendment to the Tourism Product Development Interlocal Agreement with Alachua County, amending and extending the current agreement for two years, through September 30, 2017.**

*Steve Phillips, Russell Etling and John Pricher made presentations.*

**RECOMMENDATION**

*The City Commission: 1) approve the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County, and 2) authorize the Mayor or designee to execute the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County and any related documents on behalf of the City, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[120521.](#)**NW 8th Avenue Follow-Up (B)**

**This item is a request to present a follow-up to the June 4, 2015 presentation to the City Commission regarding the NW 8th Avenue project currently in design. The presentation asks for further policy**

**guidance on design elements as requested by the City Commission.**

**\*\*ESTIMATED STAFF PRESENTATION 20 MINUTES\*\***

*Motion: 1) Minimum of 36" grass strip; 2) Minimum of 8' of pathway; 3) Do box culverts; 4) Do all the round culverts; and 5) Approve the GMP for Sections A, B & C.*

*Teresa Scott, Stefan Broadus, and Alan Foley made presentations.*

*Jim Konish, Mark Philmont and Bob Karp spoke to the matter.*

*Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and take up Item No. 150240 after Item No. 120521. Motion passed 7-0.*

**RECOMMENDATION**

*The City Commission: 1) hear a staff presentation; 2) provide direction regarding Creek Crossing recommendation; 3) provide direction regarding grass strips and sidewalks; and 4) approve GMP for Sections A & C and proceed towards construction.*

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Chase, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Goston

**Nay:** 1 - Commissioner Budd

**GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS.**

**Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.**

**150240.**

**Appointments to the Gainesville Human Rights Board, Gainesville/Alachua County Regional Airport Authority and City Plan Board (B)**

*Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren to appoint Sterling Davenport to the Gainesville Human Rights Board. Motion passed 7-0.*

*Motion by Commissioner Wells, seconded by Commissioner Warren to appoint Kinnon Thomas to the Gainesville/Alachua County Regional Airport Authority. Motion passed 7-0.*

*Motion by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter to appoint David Ferro to the City Plan Board. Motion passed 5-2. Commissioner Warren and Commissioner Budd voted no.*

**RECOMMENDATION**

*The City Commission discuss appointments to the Gainesville Human Rights Board, Gainesville/Alachua County Regional Airport Authority and City Plan Board and take appropriate action.*

**Approved, as shown above**

**GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES.  
Must be submitted by a Charter Officer. Update limited to ten (10) minutes.**

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

[150223.](#) **Mayor Ed Braddy - Establishing a Sister City Program with Deir Alla, Jordan (B)**

RECOMMENDATION                      *The City Commission take action deemed appropriate.*

Withdrawn

**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.**

**RECESS - 4:54 PM**

**RECONVENE - 5:52 PM**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer**

**CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)**

*Motion by Commissioner Chase, seconded by Commissioner Budd to send a letter to the GHA Chair to watch the meeting and see the concerns and prepare to address these at the next City Commission meeting on September 3, 2015. Motion passed 7-0.*

*Jim Konish  
Jancie Vinson  
John Davies  
Jennifer Rivers  
Diane Dabrio  
Mr. Bondi  
Avis Gainey  
Debbie Martinez  
Harold Saive*

Linda Pace  
Ms. Waller  
Donald Shepherd  
Jasmine Hall

## TIME CERTAIN

[150243.](#)

### Five-Day Work Week (B)

**The City Commission discuss the five day work week and the City Manager's proposal to open City Hall on Fridays. \*\*ESTIMATED STAFF ORAL PRESENTATION 5 MINUTES\*\***

*Motion by Commissioner Wells, seconded by Commissioner Budd to waive the rules and hear Item No. 100607 after Item No. 150177. Motion passed 7-0.*

*Motion: Accept the first floor recommendation and have Charter Officers make the City more productive. Motion passed 7-0.*

*Becky Rountree made a presentation.*

*Debbie Martinez, Ernesto Martinez and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission discuss the item and take any action deemed appropriate.*

**A motion was made by Commissioner Wells, seconded by Commissioner Budd, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150177.](#)

### Commissioner Craig Carter - Five Member City Commission (B)

*Barbara Sharpe, Donald Shepherd, Debbie Martinez, Ernesto Martinez and Jo Beaty spoke to the matter.*

**RECOMMENDATION**      *The City Commission discuss a Five Member City Commission and take action deemed appropriate.*

**Discussed**

## CITY AUDITOR

## EQUAL OPPORTUNITY DIRECTOR

## GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

## RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

[100607.](#)**Northeast Neighborhood Veterans Memorial Park (B)**

**This item is a request for the Committee to hear an update and finalize recommendations to establish a park dedicated to the reserve/citizen soldier on the property of the former United States Army Reserve and potential future uses of this property that has returned to City ownership.**

*Paul Folkers and Gerry Dedenbach made presentations.*

*Tom Lyons, Sheldon Packer, Ken Armstrong, Michael Sylvester and Sandra Carly spoke to the matter.*

**RECOMMENDATION**

*The Committee finalize recommendations to the City Commission including the following: 1) hear a presentation with options for the proposed "Reserve Park", 2) approve the Committee's recommendation to name the park "Reserve Park" and dedicate the park as a memorial to the reserve/citizen soldier, 3) approve the Committee's proposed boundaries for the park, 4) provide input on the proposed park features, 5) direct staff to develop plans for cleaning and maintaining at least a portion of the proposed park area for FORP to hold veterans related events and potentially other limited public access, 6) direct City staff to prepare a CIP project request for "Reserve Park" for the next CIP update, and 7) direct City staff to proceed with development of an RFP for use of the building returning to the Committee and City Commission for input before finalizing and releasing the RFP.*

**A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**[150054.](#)**SECOND BUDGET AMENDMENT TO THE FY 2014-2015 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)**

Resolution No. 150054

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; AMENDING RESOLUTION NO. 140302, ADOPTED SEPTEMBER 18, 2014, AS AMENDED BY RESOLUTION NO. 140698 ADOPTED

APRIL 16, 2015, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION            *The City Commission adopt the proposed resolution.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted (Resolution). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

### **110541.            INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER (B)**

Ordinance No. 110541

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to utilities, by amending Chapter 27 to provide for the creation and designation of infrastructure improvement areas for water and wastewater gravity collection improvements and to designate the Innovation District Infrastructure Improvement Area; by amending Appendix A, Schedule of Fees, Rates and Charges, to add infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

*Rick Hutton made a presentation.*

*Donald Shepherd, Brad Pollitt, Bruce DeLaney, John Fleming and Lee Nelson spoke to the matter*

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

**Absent:** 1 - Commissioner Goston

### **140741.            Vehicles For Hire Ordinance (B)**

Ordinance No. 140741

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to vehicles for hire; by amending in its entirety Article I.

Motorized Vehicles of Chapter 28, Vehicles for Hire; by amending Section 2-339 of Chapter 2 to provide civil penalties for vehicle for hire violations; and by amending Appendix A - Schedule of Fees, Rates and Charges to provide fees for vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Paul Folkers, Chief Jones and Cesar Fernandez made presentations.*

*John Lambs, Dawn Butler, John Afron, Miles Flem, Donald Shepherd, Anthony Ruth, Allan Penska and Matthew Heck spoke to the matter.*

*Motion by Commissioner Chase, seconded by Commissioner Wells to waive the rules and extend the meeting to 12:00 AM. Motion passed 6-1. Commissioner Goston voting no.*

**RECOMMENDATION**                      *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150193.](#)

**TERMINATION OF THE DISABILITY PLAN (B)**

Ordinance No. 150193

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to terminate the Disability Plan due to the transfer of disability benefit obligations and assets to the Employees' Pension Plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**                      *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**ORDINANCES ADOPTION/2ND READING- ROLL CALL REQUIRED**

[150050.](#)

**QUASI-JUDICIAL - REZONING - 3800 BLOCK OF SW 37TH BOULEVARD (B)**

Ordinance No. 150050; Petition No. PB-15-30 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from General Business (BUS) and Multiple-Family Medium-Density Residential (RMF-8) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[120883.](#)

**CUSTOMER AND ADMINISTRATIVE SERVICES BILLING, DEPOSITS, AND OTHER PRACTICES (B)**

Ordinance No. 120883

An ordinance of the City of Gainesville, Florida, amending Chapter 27 and Appendix A relating to utilities; by amending section 27-7 relating to customer deposits; by amending section 27-14 relating to payment due dates and penalties for late payments; by amending section 27-21 by adding definitions to clarify the customer service regulations; by amending Appendix A, Schedule of Fees, Rates and Charges to revise the service charges for returned payments consistent with state law; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**CITY ATTORNEY**

[150206.](#)

**KAD PROPERTIES, L.L.C. and DEAN G. POOLE, C.P.A., P.A. V.**

**CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-CA-198 (NB)**

*Motion by Commissioner Chase, seconded by Commissioner Wells - refer to the Legislative Organizational Policy Committee. Motion passed 7-0.*

*Teresa Scott made a presentation.*

*Jo Beaty spoke to the matter.*

**RECOMMENDATION**

*The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of KAD Properties, L.L.C. and Dean G. Poole, C.P.A., P.A. arising from an incident that occurred on or about July 10, 2011.*

**A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Approved as Recommended. The motion carried 7-0.**

**A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 2/20/2016. The motion carried 7-0.**

**Aye - Mayor Braddy, Commissioner Budd, Commissioner Warren, Commissioner Goston, Commissioner Chase, Mayor-Commissioner Pro Tem Carter, Commissioner Wells.**

**SCHEDULED EVENING AGENDA ITEMS**

[130847.](#)

**Lot # 10 Draft Contract for Purchase and License Agreement for Use of Parking Garage (B)**

**The City Commission review the Lot #10 draft Contract for Purchase and attached form License Agreement for Use of Parking Garage.**

**\*ESTIMATED STAFF ORAL PRESENTATION 7 MINUTES\***

*Motion: 1) approve staff recommendation; 2) work out the timeline issues; and 3) 100% surety bond.*

*Erik Bredfeldt and Phil Mann made presentations.*

*Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and extend the meeting to 12:15 AM. Motion passed 7-0.*

*Avis Butler, Rodney Long, Mark Glazer, Danny Hughes, Anthony Rue and Jo Beaty spoke to the matter.*

*Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and extend the meeting to 12:30 AM. Motion passed 6-1. Commissioner Budd voting no.*

*Motion by Commissioner Wells, seconded by Commissioner Warren to continue the entire meeting to Monday, August 24, 2015, 6:00 PM. Motion passed 7-0.*

**RECOMMENDATION**

*The City Commission: 1) Hear a brief presentation from staff;*

2) Authorize the City Manager to execute the Contract for Purchase, subject to approval as to form and legality by the City Attorney; and 3) In accordance with the Contract for Purchase, authorize the City Manager to negotiate a License Agreement for Parking Spaces with the Buyer and to negotiate a buyout of some or all of the parking rights under the McGurn License Agreement and bring those back to the City Commission for its consideration prior to December 1, 2015.

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

**RECESS - 12:26 AM**

**RECONVENE - August 24, 2015, 6:05 PM**

[150188.](#)

**Alachua County's Proposed Irrigation Efficiency Code (B)**

**Alachua County has requested the opportunity to make a presentation to the City Commission on the County's proposed Irrigation Efficiency Code. \*\*ESTIMATED COUNTY STAFF PRESENTATION 15-20 MINUTES\*\***

*Ralph Hilliard, Stacie Greco, Tony Cunningham and Paul Folkers made presentations.*

*Rebecca Hightower and Randy Alred spoke to the matter.*

**RECOMMENDATION**      *The City Commission hear a presentation from County staff on the proposed Irrigation Efficiency Code.*

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren, that this Matter be Referred to the Community Development Committee, due back on 2/20/2016. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150257.](#)

**North Central Florida Regional Planning Council Funding (B)**

**This is a request for the City Commission to review the policy ramifications of discontinuing the City of Gainesville's membership on the North Central Florida Regional Planning Council. \*\*ESTIMATED STAFF ORAL PRESENTATION 5 MINUTES\*\***

Ralph Hilliard made a presentation.

Commissioner Ken Cornell spoke to the matter.

**RECOMMENDATION**            *The City Commission hear a presentation from staff and provide direction regarding this item.*

**No Action Taken**

**150161.**

**Contract for Processing of Yard Trash Debris (B)**

**This item involves a request for the City Commission to authorize the City Manager to renew the contract with County Line Landfill, Inc. for the processing of Yard Trash generated by the City's Curbside Collection program and various City departments.**

*Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter for staff to report back with more information.*

*Steve Joplin made a presentation.*

*Jo Beaty, Jim Bakam and Rebecca Hightower spoke to the motion.*

**RECOMMENDATION**            *The City Commission authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commission Budd**

**150213.**

**General Employee's Pension Plan Amendments (NB)**

**This item requests the City Commission to authorize the City Attorney to draft an ordinance to modify certain provisions of the General Employee's Pension Plan.**

*Motion by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter to include an equitable plan for the employees affected by the plan.*

*Rebecca Hightower spoke to the matter.*

**RECOMMENDATION**            *The City Commission: 1) authorize the City Attorney to prepare; and 2) authorize the Clerk of the Commission to advertise the ordinance required to effectuate the negotiated changes to the General Employee's Pension Plan.*

**A motion was made by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Approved as shown above. The motion carried by the following vote:**

**Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston,**

and Commission Budd

150219.

**Contract Extension for Janitorial Services at the Eastside Operations Center (NB)**

*Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells to not extend the contract and put out for bid.*

*Rebecca Hightower spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract with ISS C&S Building Maintenance for janitorial services at the Eastside Operations Center, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to ISS C&S Building Maintenance in an amount not to exceed \$167,500 for FY 2016 and for subsequent years of the contract, pending final appropriation of funds for each year.*

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commission Budd**

150274.

**Request for Funding for the FAMU Board of Governor's Meeting Session to be held in the City of Gainesville (NB)**

*Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells to approve the funding for FAMU.*

**RECOMMENDATION**

*The City Commission approve funding in the amount of \$1,500.00 with \$750 from City and \$750 from the Tourist Development Council.*

**A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd**

**Absent: 1 - Commissioner Goston**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

*Mayor Braddy - Building Needs for Sister Hazel*

*Mayor-Commissioner Pro Tem Carter - Award Ceremony*

150283.

Parking Violation Appeals

RECOMMENDATION

*Refer to Committee*

**A motion was made that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 2/20/2016. The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

**Absent:** 1 - Commissioner Goston

**CITIZEN COMMENT (If time permits)**

*Jo Beaty  
Kali Blount  
Rebecca Hightower*

**ADJOURNMENT - 8:51 PM**

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**Kurt Lannon, Clerk of the Commission**